

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§ Chapter 11
SERTA SIMMONS BEDDING, LLC, <i>et al.</i>	§ Case No. 23-90020 (DRJ)
	§ (Jointly Administered)
SERTA SIMMONS BEDDING, LLC, INVESCO SENIOR SECURED MANAGEMENT, INC., CREDIT SUISSE ASSET MANAGEMENT, LLC, BOSTON MANAGEMENT AND RESEARCH, EATON VANCE MANAGEMENT, and BARINGS LLC,	§ Adversary Proc. No. 23-09001 (DRJ)
<i>Plaintiffs and Counterclaim-Defendants,</i>	§
- against -	§
AG CENTRE STREET PARTNERSHIP L.P., AG CREDIT SOLUTIONS NON-ECI MASTER FUND, L.P., AG SF MASTER (L), L.P., AG SUPER FUND MASTER, L.P., SILVER OAK CAPITAL, L.L.C., ASCRIBE III INVESTMENTS, LLC, COLUMBIA CENT CLO 21 LIMITED, COLUMBIA CENT CLO 27 LIMITED, COLUMBIA FLOATING RATE INCOME FUND, A SERIES OF COLUMBIA FUNDS SERIES TRUST II, COLUMBIA STRATEGIC INCOME FUND, A SERIES OF COLUMBIA FUNDS SERIES TRUST I, CONTRARIAN CAPITAL FUND I, L.P., CONTRARIAN CENTRE STREET PARTNERSHIP, L.P., CONTRARIAN DISTRESSED DEBT FUND, L.P., GAMUT CAPITAL SSB, LLC, LCM XXII LTD., LCM XXIII LTD., LCM XXIV LTD., LCM XXV LTD., LCM 26 LTD., LCM 27 LTD., LCM 28 LTD., NORTH STAR DEBT HOLDINGS, L.P., SHACKLETON 2013- III CLO, LTD., SHACKLETON 2013-IV-R CLO, LTD., SHACKLETON 2014-V-R CLO, LTD., SHACKLETON 2015-VII-R CLO, LTD., SHACKLETON 2017-XI CLO, LTD., Z CAPITAL CREDIT PARTNERS CLO 2018-1 LTD., AND Z CAPITAL CREDIT PARTNERS CLO 2019-1 LTD.,	§
<i>Defendants and Counterclaim-Plaintiffs.</i>	§

JOINT NOTICE OF APPEAL

Part 1: Identity of the Appellants

1. Names of the appellants:
LCM XXII Ltd., LCM XXIII Ltd., LCM XXIV Ltd., LCM XXV Ltd., LCM 26 Ltd., LCM 27 Ltd., and LCM 28 Ltd.
2. Position of appellants in the adversary proceeding that is the subject of this appeal:
Defendants and Counterclaim-Plaintiffs.

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:
Final Judgment [Dkt. 328 in Case No. 23-09001; Dkt. 1070 in Case No. 23-90020]. A copy is attached as Exhibit A.
2. State the date on which the judgment, order, or decree was entered:
June 14, 2023

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. LCM Appellants

HOLWELL SHUSTER & GOLDBERG LLP
Michael Shuster (admitted *pro hac vice*)
Vincent Levy (admitted *pro hac vice*)
Neil R. Lieberman (admitted *pro hac vice*)
Priyanka Timblo (admitted *pro hac vice*)
Brian T. Goldman (admitted *pro hac vice*)
Patrick J. Woods (admitted *pro hac vice*)
425 Lexington Avenue
New York, New York 10017
Email: mshuster@hsndl.com
vlevy@hsndl.com
nlieberman@hsndl.com
ptimblo@hsndl.com
bgoldman@hsndl.com
pwoods@hsndl.com

-and-

MCKOOL SMITH, PC
John J. Sparacino (SBN 18873700)
S. Margie Venus (SBN 20545900)

Regan S. Jones (SBN 24110060)
600 Travis Street, Suite 7000
Houston, Texas 77002
Telephone: (713) 485-7300
Facsimile (713) 485-7344
Email: jsparacino@mckoolsmith.com
mvenus@mckoolsmith.com
rjones@mckoolsmith.com

2. Appellee: Serta Simmons Bedding, LLC

WEIL, GOTSHAL & MANGES LLP

Ray C. Schrock (admitted *pro hac vice*)
David J. Lender (admitted *pro hac vice*)
Alexander W. Welch (admitted *pro hac vice*)
Luna N. Barrington (admitted *pro hac vice*)
Richard D. Gage (admitted *pro hac vice*)
Taylor B. Dougherty (admitted *pro hac vice*)
Joseph R. Rausch (admitted *pro hac vice*)
Michael P. Goodyear (admitted *pro hac vice*)
Nicholas J. Reade (admitted *pro hac vice*)
767 Fifth Avenue
New York, NY 10153
Tel: (212) 310-8000
Fax: (212) 310-8007
Email: Ray.Schrock@weil.com
David.Lender@weil.com
Alexander.Welch@weil.com
Luna.Barrington@weil.com
Richard.Gage@weil.com
Taylor.Dougherty@weil.com
Joseph.Rausch@weil.com
Michael.Goodyear@weil.com
Nick.Reade@weil.com

-and-

Gabriel A. Morgan
Stephanie N. Morrison
700 Louisiana Street, Suite 1700
Houston, TX 77002
Tel: (713) 546-5040
Fax: (713) 224-9511
Email: Gabriel.Morgan@weil.com
Stephanie.Morrison@weil.com

3. Appellees:

Barings LLC
Boston Management and Research
Credit Suisse Asset Management, LLC
Eaton Vance Management
Invesco Senior Secured Management, Inc.

GIBSON, DUNN & CRUTCHER LLP

Gregg Costa (24028160)
811 Main Street, Suite 3000
Houston, TX 77002
Telephone: (346) 718-6600
Facsimile: (346) 718-6620
Email: gcosta@gibsondunn.com

-and-

Orin Snyder (admitted *pro hac vice*)
Amanda M. Aycock (admitted *pro hac vice*)
C. Lee Wilson (admitted *hac vice*)
Akiva Shapiro (admitted *pro hac vice*)
200 Park Avenue
New York, NY 10166
Tel: (212) 351-4000
Fax: (212) 351-4035
Email: osnyder@gibsondunn.com
aaycock@gibsondunn.com
clwilson@gibsondunn.com
ashapiro@gibsondunn.com

-and-

Helgi C. Walker (admitted *pro hac vice*)
1050 Connecticut Avenue N.W.
Washington, DC 20036
Tel: (202) 955-8500
Fax: (202) 467-0539
Email: hwalker@gibsondunn.com

-and-

JACKSON WALKER LLP

Bruce J. Ruzinsky
1401 McKinney Street, Suite 1900
Houston, TX 77010
Tel: 713-752-4200
Fax: 713-308-4184
Email: bruzinsky@jw.com

4. Other Interested Parties (Defendants and counterclaim/third-party plaintiffs (the “Excluded Lenders”)):

AG Centre Street Partnership, L.P.

AG Credit Solutions Non-ECI Master Fund, L.P.

AG SF Master (L), L.P.

AG Super Fund Master, L.P.

Silver Oak Capital, L.L.C.

Ascribe III Investments, LLC

Columbia Cent CLO 21 Limited

Columbia Cent CLO 27 Limited

Columbia Floating Rate Income Fund,
a series of Columbia Funds Series Trust II

Columbia Strategic Income Fund,
a series of Columbia Funds Series Trust I

Contrarian Capital Fund I, L.P.

Contrarian Centre Street Partnership, L.P.

Contrarian Distressed Debt Fund, L.P.

Gamut Capital SSB, LLC

North Star Debt Holdings, L.P.

Shackleton 2013-III CLO, Ltd.

Shackleton 2013-IV-R CLO, Ltd.

Shackleton 2014-V-R CLO, Ltd.

Shackleton 2015-VII-R CLO, Ltd.

Shackleton 2017-XI CLO, Ltd.

Z Capital Credit Partners CLO 2018-1 Ltd.

Z Capital Credit Partners CO 2019-1 Ltd.

FRIEDMAN KAPLAN SEILER ADELMAN & ROBBINS LLP

Lawrence S. Robbins (admitted *pro hac vice*)

Eric Seiler (admitted *pro hac vice*)

Anne E. Beaumont (admitted *pro hac vice*)

Elizabeth Bierut (admitted *pro hac vice*)

Jamuna D. Kelley (admitted *pro hac vice*)

Blair R. Albom (admitted *pro hac vice*)

7 Times Square

New York, NY 10036-6516

(212) 833-1100

Email: lrobbins@fklaw.com

eseiler@fklaw.com

abeaumont@fklaw.com

jkelley@fklaw.com

balbom@fklaw.com

Attorneys for the Excluded Lenders

-and-

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

Kenneth S. Ziman (admitted *pro hac vice*)

Brian S. Hermann (admitted *pro hac vice*)

Lewis R. Clayton (admitted *pro hac vice*)

Andrew J. Ehrlich (admitted *pro hac vice*)

Michael J. Colarossi (admitted *pro hac vice*)

1285 Avenue of the Americas

New York, NY 10019

(212) 373-3000

Email: kziman@paulweiss.com

bhermann@paulweiss.com

lclayton@paulweiss.com

aehrlich@paulweiss.com

mcolarossi@paulweiss.com

*Attorneys for the Excluded Lenders
with respect to Plaintiffs' Claims and
Counterclaims Only*

-and-

PORTER HEDGES LLP

John F. Higgins (TX 09597500)
M. Shane Johnson (TX 24083263)
Megan N. Young-John (TX 24088700)
1000 Main Street, 36th Floor
Houston, TX 77002
(713) 226-6000
Email: jhiggins@porterhedges.com
sjohnson@porterhedges.com
myoung-john@porterhedges.com

*Attorneys for the Excluded Lenders
with respect to Plaintiffs' Claims and
Counterclaims Only*

Dated: June 20, 2023
New York, NY

Respectfully submitted,

HOLWELL SHUSTER & GOLDBERG LLP

/s/ Neil Lieberman

Michael Shuster (admitted *pro hac vice*)
Vincent Levy (admitted *pro hac vice*)
Neil R. Lieberman (admitted *pro hac vice*)
Priyanka Timblo (admitted *pro hac vice*)
Brian T. Goldman (admitted *pro hac vice*)
Patrick J. Woods (admitted *pro hac vice*)
425 Lexington Avenue
New York, New York 10017
mshuster@hsndl.com
vlevy@hsndl.com
nlieberman@hsndl.com
ptimblo@hsndl.com
bgoldman@hsndl.com
pwoods@hsndl.com

– and –

McKOOL SMITH, PC

John J. Sparacino (SBN 18873700)
S. Margie Venus (SBN 20545900)
Regan S. Jones (SBN 24110060)
600 Travis Street, Suite 7000
Houston, Texas 77002
Telephone: (713) 485-7300
Facsimile (713) 485-7344
jsparacino@mckoolsmith.com
mvenus@mckoolsmith.com
rjones@mckoolsmith.com

Counsel for the LCM Appellants

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Notice of Appeal was served by electronic delivery on all persons and entities receiving ECF notice on June 20, 2023.

/s/ Neil Lieberman _____
Neil R. Lieberman